

LAW ENFORCEMENT PROFESSIONAL STANDARDS SUBCOMMITTEE
Professional Development Center
West Virginia State Police Academy
Dunbar, West Virginia
October 27, 2016

MEMBERS PRESENT: Mayor John Manchester
Sheriff Tom McComas
Chief Steve Walker
Retired Chief Steve Stephens

MEMBERS REPRESENTED: Colonel Jay Smithers by
Captain David Lee
Colonel Jerry Jenkins by
Lieutenant Warren Goodson
Chief Ray Fridley by
Chief Brad Rinehart
First Lieutenant James Lee
First Sergeant Aaron Nichols
Retired Lieutenant Terry Miller by
Retired Corporal Dave Gentry
Ms. MaryKaye Jacquet by
Retired Sergeant J. L. Johnson
Ms. Patti Hamilton by
Mr. Jack McClung

STAFF: Retired Captain Chuck Sadler
Ms. Kimberly Mason
Ms. Celeste Webb-Barber

The October 27, 2016 meeting of the Law Enforcement Professional Standards (LEPS) Subcommittee was called to order at 9:03 a.m. by the Chair, Retired Chief Stephens. There were twelve (12) members either present or represented which represents a quorum of the Subcommittee membership, at the start of the meeting and present throughout the entire meeting.

The following actions were taken during this meeting in reference to the agenda items scheduled:

1. Agenda Item 1 – Motion made, Sheriff McComas, seconded, Lieutenant Goodson to approve the meeting minutes of the September 29, 2016 LEPS Subcommittee meeting. The motion was approved unanimously without any discussion and no negative votes cast.
2. Agenda Item 2 – Retired Captain Sadler provided an update on the Financial Report for LEPS Fund Account. He noted that the balance as of October 1, 2016 is \$166,637.45. He further noted that the members had been provided with a copy of a LEPS Fund Transition Report requested as part of standard financial review of all state accounts by the incoming new administration. Motion made, Sheriff McComas, seconded, Chief Walker, that the Financial Report be accepted as given. The motion was approved unanimously without any discussion and no negative votes cast.
3. Agenda Item 3 – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, for the approval of applications of individuals listed as certified law enforcement instructors in the areas of expertise listed. The motion was approved unanimously without any discussion and no negative votes cast.
4. Agenda Item 4 – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, for the approval of applications for additional areas of expertise to be approved for previously certified law enforcement instructors. The motion was approved unanimously without any discussion and no negative votes cast.
5. Agenda Item 5A – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, that the classes listed in the agenda packet be approved for annual in-service credit for 2017 Training Year period that ends June 30, 2017. The motion was approved unanimously without any discussion and no negative votes cast.
6. Agenda Item 5B – Motion made, Captain Lee, seconded, Sheriff McComas, that the classes listed in the agenda packet be approved for supervisory in-service credit for the 2017 Training Year period that ends June 30, 2017. The motion was approved unanimously without any discussion and no negative votes cast.

7. Agenda Item 5C – Motion made, Sheriff McComas, seconded, Retired Sergeant Johnson, that the classes listed in the agenda packet be approved for personal in-service credit for the 2017 Training Year period that ends June 30, 2017. The motion was approved unanimously without any discussion and no negative votes cast.
8. Agenda Item 5D – There were no applications for approval for Instructor Level In-Service Training. No action required as such.
9. At the indication of the Chair, Retired Chief Stephens, that there were personnel related matters to be discussed under Agenda Items 6A through 14, there was a motion made by Sheriff McComas, seconded, Captain Lee, and approved unanimously without discussion for the Subcommittee to go into executive session at 9:08 a.m. Motion made, Sheriff McComas, seconded, Chief Walker, and approved unanimously without discussion for the Subcommittee to come out of executive session at 10:27 a.m., no action having been taken during the executive session on any of the items discussed. The Chair then moved to address, as necessary, the agenda items that had been discussed while in executive session.
10. Agenda Item 6.A – Officer #1 reference issued Stop Work Order. Presented for informational purpose only, no action required as such.
11. Agenda Item 6.B – Officer #2 reference issued Stop Work Order. Presented for informational purpose only, no action required as such.
12. Agenda Item 7 – Criminal Conviction Records as to Applicants for Entry Level Training Program. None presented, no action required.
13. Agenda Item 8 – Request to attend the Academy as a private citizen. There were none presented, no action required.
14. Agenda Item 9. A. - Officer #1 – Presented for informational purposes only. No action required.
15. Agenda Item 9. B. – Officer #2 – Presented for informational purposes only. No action required.
16. Agenda Item 9.C. – Officer #3 – Motion made by Sheriff McComas, seconded by Retired Sergeant Johnson, to suspend the certification of this officer while a Domestic Violence Petition (DVP) was in effect. No questions or discussion on the motion. Captain Lee and First Sergeant Nichols advised that they were abstaining from voting on this motion. The motion passed unanimously with no negative votes cast.

17. Agenda Item 10. A. – Motion made, Chief Walker, seconded Sheriff McComas, to approve the full reactivation of the law enforcement certification of the six (6) law enforcement officer's listed in the agenda packet. The motion was approved unanimously without any discussion and no negative votes cast.
18. Agenda Item 10. B. – Motion made, Sheriff McComas, seconded, Chief Rinehart, to approve the reactivation of the law enforcement certification of this former officer whose review had been tabled during the September 29, 2016 meeting in that the circumstances involved in his resignation from his last police employer did not rise to a level requiring his certification not be reactivated. The motion was approved unanimously without any discussion and no negative votes cast.
19. Agenda Item 11 – Determination of required training for recertification following separation of more than sixty (60) months as a West Virginia law enforcement officer. There were none. No action required.
20. Agenda Item 12 – Equivalent certification program reviews as to decisions made. There were none. No action required.
21. Agenda Item 13 – Review of officer's ability to enter and complete the entry level training program. There were none. No action required.
22. Agenda Item 14 – Retired Captain Sadler provided an update on status of officer who had previously sought an accommodation to participate in the Academy's entry level training program to gain certification as an officer and was denied by the members. Provided for informational purposes, no action required.
23. Agenda Item 15 – Retired Captain Sadler and Ms. Webb-Barber provided the Subcommittee with an update on the appeal of Fairmont State University and the denial of their request to operate a regional law enforcement training academy. Provided for informational purposes.
24. Agenda Item 16 – Retired Captain Sadler noted that this item involved a standard FOIA request and the response that was made to it. Presented for informational purposes, no action required.
25. Agenda Item 17 – Retired Captain Sadler noted that this item addressed an article which had run in the Charleston area newspaper addressing the training completed by West Virginia law enforcement agencies in the area of Crisis Intervention Training (CIT) Captain Lee discussed training that the Academy was looking at in relation to CIT with the Department of Corrections. Presented for informational purposes, no action required.

26. Agenda Item 18 – Retired Chief Stephens noted that the next LEPS Subcommittee meeting is scheduled for Thursday, December 9, 2016 at 9:00 a.m. at the PDC in line with regular holiday related schedule of the LEPS Subcommittee.

There being no further agenda items set for discussion a motion was made by Captain Lee, seconded, Chief Rinehart, to adjourn this meeting. The motion passed unanimously with no discussion. Meeting adjourned at 10:45 a.m.